

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALLEN L. M. DOBSHINSKY,
Petitioner,

No. C 06-3629 MHP (pr)

ORDER

v.

HIGH DESERT STATE PRISON,
Respondent.

This action was commenced when Allen Dobshinsky filed a petition for writ of habeas corpus and a request for appointment of counsel form. Other than writing his name on the first page, Dobshinsky failed to provide any information on the form petition for writ of habeas corpus. The request for appointment of counsel was no more helpful, as it appears to be a handwritten copy of a form request, without any information particular to Dobshinsky. Dobshinsky does have a habeas petition pending in this case challenging his 2001 conviction from the Sonoma County Superior Court, see Dobshinsky v. Runnels, Case No. C 06-2789 MHP. It appears that this second case was opened in error, as Dobshinsky cannot have two habeas petitions challenging the same conviction. This action is DISMISSED because it apparently was filed in error, does not state any claim for habeas relief, and contains no allegations indicating that this court has jurisdiction to hear it. In light of the dismissal, Dobshinsky's request for appointment of counsel and the in forma pauperis application are DENIED. (Docket # 2 and # 4.)

1 If Dobshinsky wants to request appointment of counsel in his pending habeas case, he
2 must file a request in that case, i.e., in Case No. C 06-2789 MHP. It was not necessary for
3 him to file a new and separate case to request appointment of counsel.

4 The clerk shall close the file.

5 IT IS SO ORDERED.

6 DATED: August 29, 2006


Marilyn Hall Patel
United States District Judge